

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

2010 JUN -2 PM 3: 10

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CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

JOSHUA G. FENSTERSTOCK, an individual, on his own behalf and on behalf of all similarly situated,

Plaintiff,

against

EDUCATION FINANCE PARTNERS, a California corporation, and AFFILIATED COMPUTER SERVICES, INC., a Delaware Corporation,

Defendants.

A 10 mc 398 LY

MISC. CASE NO.

[Case No. 08 Civ. 3622 (TPG)]

Pending in the United States District Court for the Southern District of New York]

**LOAN SCIENCE, LLC'S PARTIAL MOTION TO QUASH SUBPOENA DUCES TECUM IN A CIVIL CASE**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW Loan Science, LLC, and files this Partial Motion to Quash Subpoena Duces Tecum in a Civil Case, as follows:

1. On May 11, 2010, counsel for Plaintiff issued a third-party subpoena to Loan Science, LLC in connection with this action. A copy of the subpoena is attached as Exhibit "A."
2. Loan Science has responded to the document requests. However, certain of the requests are worded so broadly as to render it difficult, if not impossible, to identify which documents are being sought. Additionally, certain of the requests, as worded, seek production of documents that would be protected by the attorney-client privilege or work product doctrine.

3. Accordingly, though Loan Science will produce responsive documents, it requests that the court sustain the objections contained in the Response to the Subpoena Duces Tecum and enter an order partially quashing the subpoena as to Request Nos. 7, 8 and 13.

HOHMANN, TAUBE & SUMMERS, LLP

By: 

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ATTORNEYS FOR LOAN SCIENCE, LLC

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing was served on counsel for Plaintiff, Orin Kurtz, Abbey Spanier Rodd & Abrams, LLP, 212 East 39<sup>th</sup> St, New York, NY 10016, by first class mail.

  
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Mark C. Taylor